

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE OWYHEE IRRIGATION DISTRICT**

April 18, 2023

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on April 18, 2023, at Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 7:28 p.m. President Dan Tschida presiding.

The following Directors were present:

Dan Tschida	Bruce Corn
Eric White	Frank Ausman
Gregory Clark	Brett Nielsen

Also present were: Clancy Flynn, District Manager; Michael W. Horton, Attorney; J.L. Eldred, OID Watermaster; and Debra Odette, Darla Sebasto, and Linda Henderson, Members of the Public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on April 13, 2023.

MINUTES. Minutes of the meeting of the Board of Directors held March 21, 2023, were mailed to the Directors prior to the meeting. A motion was made by Director Corn, seconded by Director White, and unanimously carried approving the minutes as mailed.

DISTRICT FINANCIAL REPORT. Mr. Flynn handed out a financial report for the month. The Directors reviewed and discussed the financial report. President Tschida asked if we could get bigger print on the financial report. Mr. Flynn said he will work on that. He said that assessments are looking good now. He said the budget is doing good so far. He said that two pickup trucks have been purchased at surplus.

DISTRICT ACCOUNTS PAYABLE. Two lists of District accounts payable for the month were included in the Directors' packets. The Directors reviewed the lists and asked questions which were answered by Mr. Flynn. A motion was made by Director White and was seconded by Director Ausman to pay the bills. A vote on the motion was had and it passed unanimously.

MITCHELL BUTTE POWER PROJECT:

Financial Report. A financial report on the Mitchell Butte Power Project was included in the Directors' packets. J.L. Eldred said that Mitchell Butte Power Plant is believed to be ready to go. Mr. Flynn said that the money has not been taken out of the project as budgeted yet. The Directors discussed other money in the account as possibly being available to use for fuel tanks. Mr. Flynn said that the \$10,000 earnest money did get transferred to the District last week.

Accounts Payable. A list of accounts payable for the Mitchell Butte Power Project was listed on the agenda. A motion was made by Director Corn, seconded by Director Ausman, and unanimously carried approving payment of the following accounts payable:

AT&T	\$52.01
Nichols Accounting Group	185.00
Tekfinity	42.95
Century Link	<u>193.88</u>
TOTAL	\$465.93

KOMATSU. Mr. Flynn said that the engine for the Komatsu has not come in yet.

GREG CLARK DRAIN CLEANING. Mr. Clark said that there are some drains within the District for which the District does not have an easement, but that were cleaned by the District in the past. He said he believes those drains came in after land leveling was done. He said that in his area there is a drain that runs through his place that seven water user's places drain into. He said that the District has cleaned that drain in the past, but that now Mr. Flynn is taking the position that the District is only responsible for cleaning District drains which the District has an easement for. Mr. Clark said that he does not believe the burden for cleaning the drain should fall on the landowners. Mr. Flynn said that the District has an obligation and the right to clean drains which were installed by USBR. He said there are hundreds of miles of private drains throughout the District. A lengthy discussion on the matter was had. Director Corn said that he would like to know the drains which need cleaned. It was noted that there are no contractors that are known who have the equipment to clean such drains. Mr. Horton said that if the District were to clean drains on private property that the District should get written permission, along with a liability release from the landowner. Mr. Flynn said that in that instance, the District could charge the Corps of Engineers established rate for the equipment, plus the District operator's expense. After discussion, a motion was made by Director White, seconded by Director Corn, and unanimously carried (with Director Clark abstaining) that when the District is requested to clean a drain on private property, that the District manager shall have discretion on a case by case basis to determine if the District has the capability and manpower available to clean the drain, and if so, can proceed to have District staff and equipment clean the drain with the landowners paying for the equipment rates and operator expense with the District getting written permission, waivers, and a deposit if the District manager determines that District staff have time to do it.

WATERSHED PLAN PROCESS. Mr. Flynn said that he had a web conference with FCA staff on April 6 about putting together a list of prioritized projects for the watershed plan. He said that list will then be presented and discussed in a meeting with FCA in May. He said the step after getting through the list will be to then advertise and get public input on the proposed plan. He said that staff are currently taking proposed projects from the District System Improvement Plan along with staff input. He encouraged the Directors to let him know of any projects they would like to see prioritized. Mr. Flynn said that a request has been made for the extra funding costs of the watershed plan preparation.

KINGMAN LATERAL PIPING PROJECT. Mr. Flynn reported on a meeting he had with representatives from a company that builds pre-cast concrete boxes for water conveyance. He said he has learned that EPA will be administering payment of the grant funds for the project to the District and that final rules should be coming out in a couple weeks. He said that he did find an old spoil pile from when the canal was dug which could be used as a fill material source.

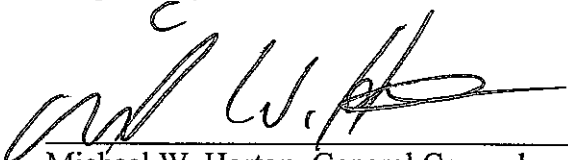
He said the spoil pile is close to the project. He said that the person from the EPA who he spoke to said that spoil pile could most likely be used. He said that this makes him more comfortable with using pipe for the project. The disadvantages of pre-cast concrete box culverts were discussed. Director Clark gave an update on the meeting he had with the pre-cast concrete company. Mr. Eldred said that the lateral has run as high as 120 cfs in the recent past.

DISTRICT INSURANCE. Mr. Flynn said that he spoke with Dellas Waldo and the District's current Workers' Compensation policy has \$1,000,000 worth of coverage and a general liability coverage limit of \$5,000,000.

WATER START UP. Mr. Flynn said that the water start up process has gone relatively well except for one gopher caused leakage that has since been repaired. Mr. Eldred said that the rest of the start up will begin next week at the earliest. He said the ground is so wet that ditch losses are at record lows.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 9:12 p.m.

Respectfully submitted,



Michael W. Horton, General Counsel

APPROVED: _____

**MINUTES OF MEETING OF JOINT COMMITTEE
OF THE OWYHEE PROJECT**

April 18, 2023

A meeting of the Joint Committee of the Owyhee Project was held on April 18, 2023, at the Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 7:00 p.m. Eric White, Chairman of the Joint Committee presiding.

The following members of the Joint Committee were present:

Eric White	Bruce Corn
Dan Tschida	Frank Ausman
Chris Landa	Brett Nielsen

Also present were: Clancy Flynn, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; John Eells, South Board Manager; Gregory Clark, OID Alternate; J.L. Eldred, OID Watermaster; and Darla Sebasto, Debra Odette, and Linda Henderson, members of the public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on April 13, 2023.

PLEDGE OF ALLEGIANCE. Chairman Eric White led the Pledge of Allegiance.

MINUTES. The minutes of the March 21, 2023, meeting of the Joint Committee were mailed out prior to the meeting. A motion was made by Mr. Tschida, seconded by Mr. Nielsen, and unanimously carried approving the minutes as mailed.

TUNNEL #1 POWER PROJECT.

Tunnel #1 Financial Report. Mr. Flynn handed out a financial report for the Tunnel #1 Power Project which was reviewed by the Committee members. Mr. Flynn said that right now 280 cfs is going through the Tunnel. The Power Plant needs 500 cfs to be started.

Tunnel #1 Power Project Accounts Payable. The Committee members reviewed the accounts payable listed on the agenda for the Tunnel #1 Power Project. A motion was made by Mr. Nielsen, seconded by Mr. Ausman, and unanimously carried approving payment of the accounts payable as follows:

Nichols Accounting Group	\$425.00
Oregon Idaho Utilities	112.00
Five Rivers Law, P.C.	<u>470.00</u>
TOTAL	\$1,007.78

OWYHEE DAM POWER PROJECT.

Owyhee Dam Financial Report. Mr. Flynn handed out a financial report for the Owyhee Dam Power Project which was reviewed by the Committee members. Mr. Flynn said that the Dam Power Plant was started yesterday. Mr. Eldred said that it was then turned off while a coil on the wicket gates is being replaced. He said that he is hoping to get it going tomorrow.

Owyhee Dam Accounts Payable. The Committee members reviewed the accounts payable listed on the agenda for the Owyhee Dam Power Project. A motion was made by Mr. Landa, seconded by Mr. Nielsen, and unanimously carried approving payment of the accounts payable as follows:

Nichols Accounting Group	\$440.00
Five Rivers Law, P.C.	470.00
Oregon-Idaho Utilities	<u>112.78</u>
TOTAL	\$1,022.78

SNOW FLIGHT. Mr. Flynn said that he flew the snow course yesterday. He said that it does not look as good as it did last month. He said he does think there will be sustained flows throughout the season. He said that it looked like Mud Flat snow had come off and he believes the current run of up to 18,000 cfs peak was a result of the Mud Flat runoff.

FORECAST IN STORAGE. Mr. Flynn said that he believes that with average runs and the water currently in the reservoir total water for the season should reach 655,000 acre feet. He said he believes storage in the reservoir will get to 450,000 acre feet in a couple of weeks. He said the current storage in the reservoir is 390,337 acre feet. If an allotment is set right now, he recommends it be set at 3.5 foot per acre.

WATER ALLOTMENT. A motion was made by Mr. Corn, seconded by Mr. Nielsen, and unanimously carried setting the allotment at 3.5 foot per acre to be reviewed at next month's Joint Committee meeting.

WATER NEEDS. Mr. Nielsen, Landa, and White said that the south area of the project is dry. It appears that everything north of Owyhee Avenue is soaking wet. Mr. Flynn and Mr. Eldred said that weeds cannot be burned until at least next week because everything is so wet.

OWYHEE FIELD DAYS. Mr. Flynn said that Owyhee Field Days will be next week on Tuesday and Wednesday. He said they expect 750 kids.

TOURS. Mr. Flynn said that Ontario Chamber of Commerce recently toured the facility.


PUMP BACK STORAGE PROPOSAL. Mr. Flynn said that the company proposing the pump back storage at the Owyhee Reservoir is having a public meeting on their plans. He said that when he met with them, he advised them that there is no water available and that the dead pool is not available.

ELEVATOR AT OWYHEE DAM. Mr. Flynn said that the elevator people came and replaced some bolts. He said that the cost of the work, including the inspection, was \$10,000.

RING GATE. Mr. Eldred said that the ring gate is ready to go. He said the buoys will be put back in place soon.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 7:28 p.m.

Respectfully submitted,



 Michael W. Horton, Secretary

APPROVED: _____